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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,361	06/06/2005	Werner Kemmelmeyer	04-550	8674
34704	7590	10/23/2007	EXAMINER	
BACHMAN & LAPOINTE, P.C. 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510			ARDIENTE, DELILAH P	
		ART UNIT		PAPER NUMBER
		1797		
		MAIL DATE	DELIVERY MODE	
		10/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/511,361	KEMMELMEYER, WERNER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Delilah P. Ardiente	1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17-30.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 17-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 17-30 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 October 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

*Claims 1-16 (cancelled):*

### ***Claim Objections***

1. Claim 17 is objected to because of the following informalities: in line 9, “*an defining therewith*” should read, “*defining therewith.*” Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 17-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Kemmelmeyer, US 4801382 (hereafter, Kemmelmeyer '382).

As to Claim 17, Kemmelmeyer '382 teaches a filter device comprising:  
a hollow cylindrical first and second filter elements (Figs. 1 and 2: 1 and col. 6, lines 38-51), having inner ring walls (Fig. 2, 8) and outer ring walls (Fig. 2, 9), disposed between an upper and lower end faces with openings (Figs. 4 and 5: 34 and col. 3, lines 45-55, screen bonded on the inner and outer ring of filter element), alternately stacked above one another and defining an inner pipeline (see Fig. 1, 18 and col. ), a substantially hollow ring shaped filter material positioned between the end faces of the alternating first and second filter elements (Figs. 1 and 2:2), wherein the upper and lower end faces (Fig. 4, 34) having inner ring sealing surface (Fig. 2, 54) and an outer ring sealing surface (Fig. 2, 53) sealing the ring shaped filter material therebetween (col. 7, lines 1-9), an upper and lower cover parts (Fig. 1: 28 and 30) sealing the filter elements together with the filter material (Fig. 2, 2), an inlet fluid pipeline (Fig. 1, 12)

communicating with the inner pipeline (Fig. 1, 18) and an outlet fluid pipeline (Fig. 1, 14) communicating with the outer fluid chamber (Fig. 1, 16), wherein

the first filter element having openings in the inner ring walls communicating with the pipeline (see Figs. 1 and 2: 1 and 4) and the second filter element having openings in the outer ring walls (see Figs. 1 and 2: 1 and 3),

an outer housing spaced from the outer ring walls defining an outer fluid chamber communicating with the openings in the outer walls of the second filter elements (see Fig. 1, 16, clean medium area),

fluid flow from the inlet pipeline to the inner pipeline, through the inner ring wall openings and the ring shaped filter material, through the outer ring wall opening to the outer fluid chamber and the outlet fluid pipeline. See Fig. 1 and arrow directions).

As to Claim 18, Kemmelmeyer '382 teaches an inner and outer ring sealing surfaces (Figs. 2: 7, locking screen) of offset surfaces of filter element (Fig. 2: 51 and 52, all round shoulders) mating with the corresponding first and second offset surfaces in an adjacent filter element. See col. 10, lines 60-65.

As to Claim 19, Kemmelmeyer '382 teaches the first and second offset surfaces located on the inner ring sealing surface. See Fig. 2: 8 and 51 and 52.

As to Claim 20, Kemmelmeyer '382 teaches the outer ring sealing surfaces and inner ring sealing surface have the same roughness. See Fig. 2, 7, a screen made having substantially same texture.

As to Claim 21, Kemmelmeyer '382 teaches the filter elements, the housing, the cover part and base part are made at least partly made of plastic. See col. 1, line 50, related reference US 4157968.

As to Claim 22, Kemmelmeyer '382 teaches the filter elements, the housing, the cover part and base part are made at least partly of metal. See col. 1, lines 52-68.

As to Claim 23, Kemmelmeyer '382 teaches a strainer located before and after the filter material in the flow direction. See col. 3, lines 38-41, screen arranged upstream and downstream in the flow direction of the filter material is considered strainer.

As to Claim 24, Kemmelmeyer '382 teaches a strainer located on the end faces of the filter elements. See Fig. 2, 7, screen locking element is considered strainer.

As to Claim 25, Kemmelmeyer '382 teaches the filter material being located a distance from the strainer. See Fig. 2, 2.

As to Claim 26, Kemmelmeyer '382 teaches a tie rod provided in the inner pipeline on which the hollow cylindrical filter elements and the ring-shaped filter material are inserted, wherein the tie rod is fixed in the upper cover part and the lower cover part. See col. 4, lines 46-53, tie bolt passing through the center axis of filter elements to hold together with mounting supports.

As to Claim 27, Kemmelmeyer '382 teaches the filter elements have support walls running radial to an axis of the inner pipeline and vertically to the

end faces of the filter elements. See Figs. 4-6: 32, support walls and col. 7, lines 67-68 and col. 8, lines 1-7.

As to Claim 28, Kemmelmeyer '382 teaches the filter material having a holding region, which has a different composition than a filtering region. See col. 2, lines 2-16, tube portions of spacer ring.

As to Claim 29, Kemmelmeyer '382 teaches the filter material having roughened edge region. See col. 8, lines 34-44, rough dimensions.

As to Claim 30, Kemmelmeyer '382 teaches the filter material comprising a material selected from the group consisting of ceramic, metal, natural or synthetic polymers, synthetic resin-ion exchangers, polymers of halogenated hydrocarbons, teflon, porcelain, glass, metal, paper, cellulose, felt, leather, asbestos, glass, sawdust, pumice stone, titanium dioxide and mixtures thereof. See col. 4, lines 54-66.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Delilah P. Ardiente whose telephone number is (571) 272-6375. The examiner can normally be reached on 7:00 AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Roy Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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10/19/07

Delilah P Ardiente  
Examiner  
Art Unit 1797

  
DAVID SAMPLE  
PRIMARY EXAMINER